

## JOURNAL OF THE HOUSE

## Fifty-fifth Legislative Assembly

\* \* \* \* \*

Bismarck, February 10, 1997

The House convened at 8:30 a.m., with Speaker Timm presiding.

The prayer was offered by the Rev. Henry W. Friedrich, Trinity Lutheran Church, Hope.

The roll was called and all members were present.

A quorum was declared by the Speaker.

## POINT OF PERSONAL PRIVILEGE

**REP. BOUCHER:** Mr. Speaker: I rise on a point of personal privilege and request that my remarks be printed in the Journal, which request was granted.

On behalf of the Democrat Caucus and the North Dakota Democratic-NPL Party, I wish to express our deepest sadness for the untimely death of former speaker, Representative Clarence Martin. Representative Martin (Clarence to all of us) was a dedicated servant of the people of the 36th district and for all of North Dakota. Having been willing to serve in this chamber since 1975 is indicative of the commitment he had to the Legislature and to our state.

Today we mourn the passing of a truly honorable colleague, yet, in this time of sadness, we can rejoice in the fact that he was a friend to all of us. Our condolences go out to his wife, Viola, and to his family. And, to our friend Clarence, thank you for your hard work and your friendship. May you rest in eternal peace in the presence of God.

## POINT OF PERSONAL PRIVILEGE

**REP. WENTZ:** Mr. Speaker: I rise on a point of personal privilege and request that my remarks be printed in the Journal, which request was granted.

Members of the Assembly: I call to your attention the bouquet of flowers on the Speaker's desk. It is in memory of our colleague and friend, Representative Clarence Martin, a kind and gentle man.

To live in the hearts of those we leave behind is not to die. Clarence will indeed live forever in the hearts of many of us here.

He was a gentleman, just, decent, and honorable; he bore no one any ill will -- ever. He was our friend and we will miss him dearly.

## MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

**MR. SPEAKER:** The Senate has passed and your favorable consideration is requested on: SB 2017, SB 2131, SB 2171, SB 2279, SB 2298, SB 2334.

## HOUSE ENGROSSING REPORT

The following bills were engrossed: HB 1037, HB 1316, HB 1384, and HB 1419.

## SIXTH ORDER OF BUSINESS

**REP. DORSO MOVED** that the amendments on the Sixth order of business to Reengrossed HB 1146, Engrossed HB 1016, HB 1022, HB 1074, HB 1237, HB 1289, HB 1307, HB 1326, HB 1361, HB 1412, HB 1449, HB 1452, and HB 1464 be adopted, which motion prevailed.

Reengrossed HB 1146, Engrossed HB 1016, HB 1022, HB 1074, HB 1237, HB 1289, HB 1307, HB 1326, HB 1361, HB 1412, HB 1449, HB 1452, and HB 1464, as amended, were placed on the Eleventh order of business on the calendar.

## SECOND READING OF HOUSE BILL

**HB 1316:** A BILL for an Act to amend and reenact sections 57-15-16 and 57-15-17 of the North Dakota Century Code, relating to school district building funds.

## ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 23 YEAS, 74 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Byerly; Callahan; Christenson; Coats; Delmore; Glassheim; Grumbo; Gunter; Hawken; Keiser; Kelsh, S.; Kunkel; Maragos; Monson; Nicholas; Nottestad; Olson; Sandvig; Sveen; Thoreson; Wardner; Warner; Wentz

**NAYS:** Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Carlisle; Carlson; Christopherson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Drovda; Fairfield; Freier; Froseth; Galvin; Gerntholz; Gorder; Grande; Grosz; Gulleson; Hanson; Hausauer; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Kelsch, R.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroepin; Lloyd; Mahoney; Martinson; Mickelson; Murphy; Nelson; Nichols; Niemeier; Oban; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Schmidt; Skarphol; Soukup; Stenehjerm; Svedjan; Thompson; Thorpe; Tollefson; Torgerson; Wald; Weisz; Wilkie; Speaker Timm

Engrossed HB 1316 was declared lost.

\*\*\*\*\*

### SECOND READING OF HOUSE BILL

**HB 1384:** A BILL for an Act to amend and reenact sections 43-09-22 and 43-09-23 of the North Dakota Century Code, relating to the inspections and penalties imposed by the state electrical board.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 55 YEAS, 41 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Axtman; Berg; Bernstein; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Delmore; Dorso; Freier; Froseth; Glassheim; Grande; Grumbo; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kilzer; Klein; Kretschmar; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nottestad; Oban; Olson; Poolman; Price; Rose; Sandvig; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thoreson; Thorpe; Tollefson; Wentz

**NAYS:** Aarsvold; Belter; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Dalrymple; DeKrey; Delzer; Devlin; Drovda; Fairfield; Galvin; Gerntholz; Gorder; Grosz; Gulleson; Gunter; Johnson, D.; Kerzman; Kliniske; Koppelman; Kroepin; Kunkel; Lloyd; Nelson; Nicholas; Nichols; Niemeier; Renner; Rennerfeldt; Sabby; Schmidt; Thompson; Torgerson; Wald; Warner; Weisz; Wilkie; Speaker Timm

**ABSENT AND NOT VOTING:** Wardner

Engrossed HB 1384 passed and the title was agreed to.

\*\*\*\*\*

### SECOND READING OF HOUSE BILL

**HB 1419:** A BILL for an Act to create and enact a new section to chapter 26.1-45 of the North Dakota Century Code, relating to rate stabilization for long-term care insurance policies.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 30 YEAS, 66 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Boucher; Brandenburg; Callahan; Christenson; Clark; Coats; Delmore; Fairfield; Glassheim; Grumbo; Gulleson; Kelsh, S.; Kerzman; Kretschmar; Kroepin; Mahoney; Maragos; Nelson; Nichols; Niemeier; Oban; Rose; Sandvig; Schmidt; Thompson; Thorpe; Warner; Wentz; Wilkie

**NAYS:** Axtman; Belter; Berg; Bernstein; Boehm; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christopherson; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Drovda; Freier; Froseth; Galvin; Gerntholz; Grande; Grosz; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kunkel; Lloyd; Martinson; Mickelson; Monson; Murphy; Nicholas; Nottestad; Olson; Poolman; Price; Renner; Rennerfeldt; Sabby;

Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thoreson; Tollefson; Torgerson; Wald; Wardner; Weisz; Speaker Timm

**ABSENT AND NOT VOTING:** Gorder

Engrossed HB 1419 was declared lost.

\*\*\*\*\*

#### MOTION

**REP. DORSO MOVED** that HB 1019, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

#### SECOND READING OF HOUSE BILL

**HB 1038:** A BILL for an Act to create and enact a new subsection to section 50-06.2-02 and a new section to chapter 50-06.2 of the North Dakota Century Code, relating to projects involving expanded case management for long-term care.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 26 YEAS, 70 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Boucher; Brandenburg; Callahan; Christenson; Coats; Delmore; Fairfield; Glassheim; Grumbo; Guleson; Hanson; Kelsh, S.; Kerzman; Kroeplin; Mahoney; Nelson; Nichols; Niemeier; Oban; Rose; Sandvig; Schmidt; Thorpe; Warner; Wilkie

**NAYS:** Axtman; Belter; Berg; Bernstein; Boehm; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christopherson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Drovda; Freier; Froseth; Galvin; Gerntholz; Grande; Grosz; Gunter; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kunkel; Lloyd; Maragos; Martinson; Mickelson; Monson; Murphy; Nicholas; Nottestad; Olson; Poolman; Price; Renner; Rennerfeldt; Sabby; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Tollefson; Torgerson; Wald; Wardner; Weisz; Wentz; Speaker Timm

**ABSENT AND NOT VOTING:** Gorder

HB 1038 was declared lost.

\*\*\*\*\*

#### SECOND READING OF HOUSE BILL

**HB 1123:** A BILL for an Act to amend and reenact subsection 6 of section 15-40.2-08 of the North Dakota Century Code, relating to the establishment of minimum standards and rules for determination of educational costs for students by the superintendent of public instruction.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 1 YEA, 94 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Niemeier

**NAYS:** Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovda; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Grande; Grosz; Grumbo; Guleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

**ABSENT AND NOT VOTING:** Boucher; Gorder

HB 1123 was declared lost.

\*\*\*\*\*

**SECOND READING OF HOUSE BILL**

**HB 1212:** A BILL for an Act to create and enact a new section to chapter 26.1-40 and a new section to chapter 51-07 of the North Dakota Century Code, relating to automobile insurance repair coverage and automobile repair; to amend sections 26.1-40-01, 51-08.1-01, and 51-08.1-03 of the North Dakota Century Code, relating to the definition of automobile repair and price fixing; and to provide a penalty.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 0 YEAS, 96 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**NAYS:** Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Grande; Grosz; Grumbo; Gulleeson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

**ABSENT AND NOT VOTING:** Gorder

HB 1212 was declared lost.

\*\*\*\*\*

**SECOND READING OF HOUSE BILL**

**HB 1260:** A BILL for an Act to amend and reenact subsection 26 of section 65-01-02 of the North Dakota Century Code, relating to the definition of permanent impairment for workers' compensation purposes.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 96 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Grande; Grosz; Grumbo; Gulleeson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

**ABSENT AND NOT VOTING:** Gorder

HB 1260 passed and the title was agreed to.

\*\*\*\*\*

**SECOND READING OF HOUSE BILL**

**HB 1261:** A BILL for an Act to amend and reenact section 65-05-15 of the North Dakota Century Code, relating to payment of work-related injuries on an aggravation basis.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 6 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Grande; Grosz; Grumbo; Gulleeson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Olson; Poolman; Price; Renner; Rennerfeldt; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

**NAYS:** Callahan; Coats; Mahoney; Oban; Rose; Thorpe

**ABSENT AND NOT VOTING:** Gorder

HB 1261 passed and the title was agreed to.

\*\*\*\*\*

### SECOND READING OF HOUSE BILL

**HB 1291:** A BILL for an Act to amend and reenact subsection 1 of section 57-15-14.5 of the North Dakota Century Code, relating to the long-distance learning and educational technologies levy.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 10 YEAS, 86 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Callahan; Hawken; Kunkel; Maragos; Monson; Nicholas; Olson; Sandvig; Sveen; Wentz

**NAYS:** Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Grande; Grosz; Grumbo; Gulleeson; Gunter; Hanson; Hausauer; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Lloyd; Mahoney; Martinson; Mickelson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Schmidt; Skarphol; Soukup; Stenehjerm; Svedjan; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wilkie; Speaker Timm

**ABSENT AND NOT VOTING:** Gorder

HB 1291 was declared lost.

\*\*\*\*\*

### SECOND READING OF HOUSE BILL

**HB 1305:** A BILL for an Act to provide for a study of industrial hemp production by the agricultural experiment station.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 58 YEAS, 38 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Axtman; Belter; Bernstein; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Coats; DeKrey; Delmore; Devlin; Drovdal; Fairfield; Galvin; Gerntholz; Glassheim; Gulleeson; Hausauer; Hawken; Huether; Jacobs; Jensen; Johnsen, C.; Keiser; Kerzman; Klein; Kretschmar; Lloyd; Mahoney; Maragos; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjerm; Sveen; Thoreson; Thorpe; Tollefson; Wald; Wardner; Warner; Weisz; Wentz

**NAYS:** Aarsvold; Berg; Boehm; Carlisle; Carlson; Christenson; Christopherson; Clark; Dalrymple; Delzer; Dorso; Freier; Froseth; Grande; Grosz; Grumbo; Gunter; Hanson; Henegar; Johnson, D.; Kelsch, R.; Kelsh, S.; Kempenich; Kilzer; Kliniske; Koppelman;

Kroeplin; Kunkel; Martinson; Mickelson; Nicholas; Renner; Rennerfeldt; Svedjan; Thompson; Torgerson; Wilkie; Speaker Timm

**ABSENT AND NOT VOTING:** Gorder

HB 1305 passed and the title was agreed to.

\*\*\*\*\*

**MOTION**

**REP. DORSO MOVED** that the House reconsider its action whereby HB 1305 passed, which motion prevailed.

**MOTION**

**REP. DORSO MOVED** that HB 1305 be rereferred to the **Appropriations Committee**, which motion prevailed.

**RULING BY THE SPEAKER**

**SPEAKER TIMM RULED** that with reference to the reconsideration motion on HB 1305, Rep. Dorso's motion was out of order because he was not on the prevailing side, therefore a new motion was in order.

**MOTION**

**REP. KRETSCHMAR MOVED** that the House reconsider its action whereby HB 1305 passed, which motion prevailed.

**MOTION**

**REP. DORSO MOVED** that HB 1305 be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Dorso's motion, HB 1305 was rereferred.

**SECOND READING OF HOUSE BILL**

**HB 1309:** A BILL for an Act to amend and reenact section 49-10.1-05 of the North Dakota Century Code, relating to the authority, jurisdiction, and powers of railroad police.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 95 YEAS, 1 NAY, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Grande; Grosz; Grumbo; Guleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

**NAYS:** Nichols

**ABSENT AND NOT VOTING:** Gorder

HB 1309 passed and the title was agreed to.

\*\*\*\*\*

**MOTION**

**REP. FREIER MOVED** that the House waive the reading of the title to HB 1311, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1311:** A BILL for an Act to create and enact sections 57-43.2-02.2 and 57-43.2-02.3 of the North Dakota Century Code, relating to special fuels tax refunds and exemptions; to amend and reenact sections 57-43.1-01, 57-43.1-03, 57-43.1-03.1, 57-43.1-04, 57-43.1-05, 57-43.1-06, 57-43.1-07, 57-43.1-11, 57-43.1-17, 57-43.1-20, 57-43.2-01, 57-43.2-02, 57-43.2-03, 57-43.2-04, and 57-43.2-14 of the North Dakota Century Code, relating to motor vehicle fuels and special fuels taxes and administration; to repeal

sections 57-43.1-09, 57-43.1-10, and 57-43.1-19 of the North Dakota Century Code, relating to motor vehicle fuels tax refunds and invoices; to provide an effective date; and to declare an emergency.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 96 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Grande; Grosz; Grumbo; Gulleeson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

**ABSENT AND NOT VOTING:** Gorder

HB 1311 passed, the title was agreed to, and the emergency clause was declared carried.

\*\*\*\*\*

#### SECOND READING OF HOUSE BILL

**HB 1315:** A BILL for an Act to amend and reenact sections 15-63-02, 15-63-03, and 15-63-04 of the North Dakota Century Code, relating to eligibility of candidates for scholarships awarded by the state board for Indian scholarships.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 96 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Grande; Grosz; Grumbo; Gulleeson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

**ABSENT AND NOT VOTING:** Gorder

HB 1315 passed and the title was agreed to.

\*\*\*\*\*

#### SECOND READING OF HOUSE BILL

**HB 1318:** A BILL for an Act to amend and reenact section 40-57.1-03 of the North Dakota Century Code, relating to the exclusion of school district property taxes from tax exemptions on property of new and expanding businesses.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 31 YEAS, 65 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Boucher; Callahan; Christenson; Coats; DeKrey; Delmore; Drovdal; Fairfield; Glassheim; Grumbo; Hanson; Hawken; Johnson, D.; Kelsh, S.; Kerzman; Mahoney; Nichols; Niemeier; Oban; Rose; Sabby; Sandvig; Schmidt; Sveen; Thoreson; Thorpe; Wardner; Warner; Weisz; Wilkie

**NAYS:** Axtman; Belter; Berg; Bernstein; Boehm; Brandenburg; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christopherson; Clark; Dalrymple; Delzer; Devlin; Dorso; Freier; Froseth; Galvin; Gerntholz; Grande; Grosz; Gulletson; Gunter; Hausauer; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nottestad; Olson; Poolman; Price; Renner; Rennerfeldt; Skarphol; Soukup; Stenehjerm; Svedjan; Thompson; Tollefson; Torgerson; Wald; Wentz; Speaker Timm

**ABSENT AND NOT VOTING:** Gorder

HB 1318 was declared lost.

\*\*\*\*\*

**MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)**

**MADAM PRESIDENT:** The House has passed and your favorable consideration is requested on: HB 1031, HB 1033, HB 1110, HB 1144, HB 1154, HB 1179, HB 1190, HB 1196, HB 1210, HB 1213, HB 1214, HB 1235, HB 1240, HB 1247, HB 1250, HB 1272, HB 1276, HB 1280, HB 1286, HB 1288, HB 1292, HB 1297, HB 1341, HB 1418.

**MOTION**

**REP. FREIER MOVED** that the House stand in recess until 4:00 p.m., which motion prevailed.

**THE HOUSE RECONVENED** pursuant to recess taken with Speaker Timm presiding.

**ANNOUNCEMENT BY THE SPEAKER**

**SPEAKER TIMM ANNOUNCED** that the Journal would show that Rep. Clarence F. Martin of the 36th District passed away on Sunday, February 9, 1997, and that the name of Rep. Martin would be removed from the House roll.

**HOUSE REENGROSSING AND ENGROSSING REPORT**

The following bill was reengrossed: HB 1146

The following bills were engrossed: HB 1016, HB 1022, HB 1074, HB 1237, HB 1289, HB 1307, HB 1326, HB 1361, HB 1412, HB 1449, HB 1452, and HB 1464.

**MOTION**

**REP. BELTER MOVED** that Engrossed HB 1289, which is on the Eleventh order, be rereferred to the **Finance and Taxation Committee**, which motion prevailed. Pursuant to Rep. Belter's motion, HB 1289 was rereferred.

**SECOND READING OF HOUSE BILL**

**HB 1327:** A BILL for an Act to create and enact a new section to chapter 11-10 of the North Dakota Century Code, relating to the appointment of part-time state's attorneys.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 18 YEAS, 76 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Axtman; Boucher; Brandenburg; Byerly; DeKrey; Devlin; Galvin; Kerzman; Klein; Kroeplin; Lloyd; Skarphol; Thorpe; Torgerson; Wald; Wardner; Weisz; Wilkie

**NAYS:** Belter; Berg; Bernstein; Boehm; Brown; Brusegaard; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; Delmore; Delzer; Drovda; Fairfield; Freier; Froseth; Gerntholz; Glassheim; Grande; Grosz; Grumbo; Gulletson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsch, S.; Kempenich; Kilzer; Kliniske; Koppelman; Kretschmar; Kunkel; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Tollefson; Warner; Wentz; Speaker Timm

**ABSENT AND NOT VOTING:** Aarsvold; Dorso; Gorder

HB 1327 was declared lost.

\*\*\*\*\*



**SECOND READING OF HOUSE BILL**

**HB 1328:** A BILL for an Act to repeal section 4-10.5-08 of the North Dakota Century Code, relating to soybean assessment refunds.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 85 YEAS, 9 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Axtman; Belter; Berg; Bernstein; Boehm; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Grande; Grosz; Grumbo; Gulleon; Gunter; Hanson; Hausauer; Hawken; Henegar; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Murphy; Nelson; Nicholas; Niemeier; Nottestad; Oban; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Speaker Timm

**NAYS:** Boucher; Huether; Kerzman; Kroeplin; Monson; Nichols; Olson; Schmidt; Wilkie

**ABSENT AND NOT VOTING:** Aarsvold; Dorso; Gorder

HB 1328 passed and the title was agreed to.

\*\*\*\*\*

**SECOND READING OF HOUSE BILL**

**HB 1331:** A BILL for an Act to create and enact a new subsection to section 50-11.1-02 of the North Dakota Century Code, relating to the definition of relative; and to amend and reenact subsection 1 of section 50-11.1-03 of the North Dakota Century Code, relating to the licensure of early childhood facilities.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 18 YEAS, 76 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Boucher; Brandenburg; Callahan; Christenson; Coats; Delmore; Fairfield; Glassheim; Gulleon; Jensen; Kelsh, S.; Nottestad; Oban; Rose; Sandvig; Stenehjerm; Thorpe; Wilkie

**NAYS:** Axtman; Belter; Berg; Bernstein; Boehm; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christopherson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Drovdal; Freier; Froseth; Galvin; Gerntholz; Grande; Grosz; Grumbo; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Olson; Poolman; Price; Renner; Rennerfeldt; Sabby; Schmidt; Skarphol; Soukup; Svedjan; Sveen; Thompson; Thoreson; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Speaker Timm

**ABSENT AND NOT VOTING:** Aarsvold; Dorso; Gorder

HB 1331 was declared lost.

\*\*\*\*\*

**SECOND READING OF HOUSE BILL**

**HB 1335:** A BILL for an Act to amend and reenact section 50-24.4-15 of the North Dakota Century Code, relating to recapture of depreciation in setting nursing home rates.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats;

Dalrymple; DeKrey; Delmore; Delzer; Devlin; Drovda; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Grande; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

**ABSENT AND NOT VOTING:** Aarsvold; Dorso; Gorder

HB 1335 passed and the title was agreed to.

\*\*\*\*\*

### SECOND READING OF HOUSE BILL

**HB 1344:** A BILL for an Act to amend and reenact section 47-16-30.1 of the North Dakota Century Code, relating to a lessor's rights in abandoned property.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Drovda; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Grande; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

**ABSENT AND NOT VOTING:** Aarsvold; Dorso; Gorder

HB 1344 passed and the title was agreed to.

\*\*\*\*\*

### SECOND READING OF HOUSE BILL

**HB 1345:** A BILL for an Act to amend and reenact section 33-06-02 of the North Dakota Century Code, relating to service of process in eviction actions.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 3 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Devlin; Drovda; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Grande; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

**NAYS:** Delzer; Murphy; Thorpe

**ABSENT AND NOT VOTING:** Aarsvold; Dorso; Gorder

HB 1345 passed and the title was agreed to.

\*\*\*\*\*

**SECOND READING OF HOUSE BILL**

**HB 1350:** A BILL for an Act to amend and reenact section 12.1-21-05 of the North Dakota Century Code, relating to classification of criminal mischief offenses; and to provide a penalty.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Grande; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

**ABSENT AND NOT VOTING:** Aarsvold; Dorso; Gorder; Mickelson

HB 1350 passed and the title was agreed to.

\*\*\*\*\*

**SECOND READING OF HOUSE BILL**

**HB 1359:** A BILL for an Act to amend and reenact subsection 4 of section 19-03.1-23 of the North Dakota Century Code, relating to drug offenses.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 4 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Grande; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

**NAYS:** Callahan; Christenson; Glassheim; Thorpe

**ABSENT AND NOT VOTING:** Aarsvold; Dorso; Gorder

HB 1359 passed and the title was agreed to.

\*\*\*\*\*

**SECOND READING OF HOUSE BILL**

**HB 1360:** A BILL for an Act to amend and reenact subsection 2 of section 44-08-04 of the North Dakota Century Code, relating to state officer and employee expense reimbursement.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 48 YEAS, 46 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Axtman; Bernstein; Boucher; Brown; Callahan; Carlisle; Christenson; Christopherson; Clark; DeKrey; Delmore; Fairfield; Glassheim; Grosz; Grumbo; Gulleson; Hawken;

Henegar; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Klein; Kliniske; Kretschmar; Kroeplin; Kunkel; Maragos; Martinson; Mickelson; Nicholas; Nottestad; Oban; Poolman; Price; Sabby; Schmidt; Stenehjerm; Svedjan; Sveen; Thoreson; Wardner; Weisz; Wentz; Speaker Timm

**NAYS:** Belter; Berg; Boehm; Brandenburg; Brusegaard; Byerly; Carlson; Coats; Dalrymple; Delzer; Devlin; Drovdal; Freier; Froseth; Galvin; Gerntholz; Grande; Gunter; Hanson; Hausauer; Huether; Jacobs; Kerzman; Kilzer; Koppelman; Lloyd; Mahoney; Monson; Murphy; Nelson; Nichols; Niemeier; Olson; Renner; Rennerfeldt; Rose; Sandvig; Skarphol; Soukup; Thompson; Thorpe; Tollefson; Torgerson; Wald; Warner; Wilkie

**ABSENT AND NOT VOTING:** Aarsvold; Dorso; Gorder

HB 1360 was declared lost for want of a Constitutional majority.

\*\*\*\*\*

### SECOND READING OF HOUSE BILL

**HB 1365:** A BILL for an Act to amend and reenact sections 57-15-01.1 and 57-15-14 of the North Dakota Century Code, relating to school district tax levies; and to provide an effective date.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 8 YEAS, 86 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Froseth; Hawken; Jensen; Kelsch, R.; Kunkel; Maragos; Sveen; Wentz

**NAYS:** Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Drovdal; Fairfield; Freier; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Hanson; Henegar; Huether; Jacobs; Johnsen, C.; Johnson, D.; Keiser; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Lloyd; Mahoney; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjerm; Svedjan; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wilkie; Speaker Timm

**ABSENT AND NOT VOTING:** Aarsvold; Dorso; Hausauer

HB 1365 was declared lost.

\*\*\*\*\*

### SECOND READING OF HOUSE BILL

**HB 1367:** A BILL for an Act to amend and reenact section 15-34.1-01 of the North Dakota Century Code, relating to compulsory attendance.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 0 YEAS, 94 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**NAYS:** Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

**ABSENT AND NOT VOTING:** Aarsvold; Dorso; Hausauer

HB 1367 was declared lost.

\*\*\*\*\*

**SECOND READING OF HOUSE BILL**

**HB 1374:** A BILL for an Act to create and enact a new subsection to section 57-39.2-04 of the North Dakota Century Code, relating to a sales and use tax exemption for sales by a new business in a city of fewer than one thousand five hundred population; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 17 YEAS, 76 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Brandenburg; Callahan; Devlin; Fairfield; Grumbo; Gulleson; Kelsh, S.; Kerzman; Kroeplin; Maragos; Murphy; Nichols; Niemeier; Sandvig; Schmidt; Wardner; Warner

**NAYS:** Axtman; Belter; Berg; Bernstein; Boehm; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Gunter; Hanson; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kunkel; Lloyd; Mahoney; Martinson; Mickelson; Monson; Nelson; Nicholas; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Weisz; Wentz; Wilkie; Speaker Timm

**ABSENT AND NOT VOTING:** Aarsvold; Boucher; Dorso; Hausauer

HB 1374 was declared lost.

\*\*\*\*\*

**SECOND READING OF HOUSE BILL**

**HB 1377:** A BILL for an Act relating to insurance sales by financial institutions; and to provide a penalty.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 40 YEAS, 54 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Boehm; Boucher; Brandenburg; Brown; Callahan; Carlisle; Carlson; Christopherson; Coats; DeKrey; Delzer; Galvin; Grosz; Grumbo; Gulleson; Gunter; Hanson; Henegar; Jensen; Johnsen, C.; Kelsch, R.; Kelsh, S.; Kerzman; Kunkel; Maragos; Martinson; Mickelson; Monson; Nelson; Nicholas; Niemeier; Oban; Rose; Sandvig; Schmidt; Stenehjem; Tollefson; Wald; Wardner; Weisz

**NAYS:** Axtman; Belter; Berg; Bernstein; Brusegaard; Byerly; Christenson; Clark; Dalrymple; Delmore; Devlin; Drovdal; Fairfield; Freier; Froseth; Gerntholz; Glassheim; Gorder; Grande; Hawken; Huether; Jacobs; Johnson, D.; Keiser; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Lloyd; Mahoney; Murphy; Nichols; Nottestad; Olson; Poolman; Price; Renner; Rennerfeldt; Sabby; Skarphol; Soukup; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Torgerson; Warner; Wentz; Wilkie; Speaker Timm

**ABSENT AND NOT VOTING:** Aarsvold; Dorso; Hausauer

HB 1377 was declared lost.

\*\*\*\*\*

**MOTION**

**REP. FREIER MOVED** that HB 1386, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1389:** A BILL for an Act to amend and reenact subsection 2 of section 11-09.1-05 of the North Dakota Century Code, relating to limitations on the authority of a home rule county to supersede certain laws relating to special assessments.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Axtman; Belter; Berg; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

**ABSENT AND NOT VOTING:** Aarsvold; Bernstein; Dorso; Hausauer

HB 1389 passed and the title was agreed to.

\*\*\*\*\*

**SECOND READING OF HOUSE BILL**

**HB 1400:** A BILL for an Act to create and enact a new section to chapter 34-06 of the North Dakota Century Code, relating to the state minimum wage rate.

**MOTION**

**REP. WALD MOVED** the previous question, which motion prevailed.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 27 YEAS, 65 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Boucher; Brandenburg; Callahan; Christenson; Coats; Delmore; Fairfield; Glassheim; Grumbo; Gulleson; Hanson; Huether; Kelsh, S.; Kerzman; Kroeplin; Mahoney; Maragos; Nichols; Niemeier; Oban; Rose; Sandvig; Schmidt; Thorpe; Warner; Wentz; Wilkie

**NAYS:** Axtman; Belter; Berg; Boehm; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christopherson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Drovdal; Freier; Froseth; Galvin; Gerntholz; Gorder; Grande; Grosz; Gunter; Hawken; Henegar; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kunkel; Lloyd; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nottestad; Olson; Poolman; Price; Renner; Rennerfeldt; Sabby; Skarphol; Soukup; Svedjan; Sveen; Thompson; Thoreson; Tollefson; Torgerson; Wald; Wardner; Weisz; Speaker Timm

**ABSENT AND NOT VOTING:** Aarsvold; Bernstein; Dorso; Hausauer; Stenehjerm

HB 1400 was declared lost.

\*\*\*\*\*

**MOTION**

**REP. FREIER MOVED** that HB 1425 be placed at the top of the calendar, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1425:** A BILL for an Act to amend and reenact subsection 3 of section 34-06-03 of the North Dakota Century Code, relating to standards of minimum wages.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 30 YEAS, 63 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Boucher; Brandenburg; Callahan; Christenson; Clark; Coats; Delmore; Devlin; Fairfield; Grumbo; Gulleson; Hanson; Huether; Jensen; Kelsh, S.; Kerzman; Kroeplin; Mahoney;

Nelson; Nichols; Niemeier; Oban; Rose; Sandvig; Schmidt; Sveen; Thorpe; Warner; Wentz; Wilkie

**NAYS:** Axtman; Belter; Berg; Boehm; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christopherson; Dalrymple; DeKrey; Delzer; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Gunter; Hawken; Henegar; Jacobs; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kunkel; Lloyd; Maragos; Martinson; Mickelson; Monson; Murphy; Nicholas; Nottestad; Olson; Poolman; Price; Renner; Rennerfeldt; Sabby; Skarphol; Soukup; Stenehjelm; Svedjan; Thompson; Thoreson; Tollefson; Torgerson; Wald; Wardner; Weisz; Speaker Timm

**ABSENT AND NOT VOTING:** Aarsvold; Bernstein; Dorso; Hausauer

HB 1425 was declared lost.

\*\*\*\*\*

### MOTION

**REP. FREIER MOVED** that the House be on the Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:30 a.m., Tuesday, February 11, 1997, which motion prevailed.

### REPORT OF STANDING COMMITTEE

**HB 1034: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1034 was placed on the Sixth order on the calendar.

Page 1, line 1, replace the first "a" with "eight", replace "section" with "sections", and replace "54-10, a new subsection to" with "54-35"

Page 1, line 2, remove "section 54-10-01," , replace "four" with "a", and replace "sections" with "section"

Page 1, line 3, after "to" insert "establishing an" and replace "systems reviews by the state auditor and" with "management division of the legislative council and providing for"

Page 1, line 4, remove "by the information services division"

Page 1, remove lines 11 through 23

Page 2, line 1, replace "Four" with "Eight" and replace "54-44.2" with "54-35"

Page 2, after line 2, insert:

**"Information technology defined.** As used in this chapter, "information technology" means computing and data communications systems and their supporting infrastructure used in the acquisition, processing, management, analysis, storage, and delivery of information.

**Director of information technology management division.** The legislative council shall appoint a director of the information technology management division of the legislative council. The appointment of the director must be based upon qualifications of eligible persons without reference to partisan politics. The director's salary must be determined by the council and it may employ such additional persons as may be necessary to carry out the provisions of section 1 of this Act.

**Personnel - Compensation - Expenses.** The salaries, travel, and other expenses of the director of the information technology management division and other personnel within the division must be submitted, approved, and paid in the same manner as other employees of the legislative council.

**Powers and duties of the director of the information technology management division.** The director of the information technology management division shall receive reports and information technology strategic plans of all executive branch state agencies, institutions, and departments; institutions under the control of the board of higher education; and agencies of the judicial and legislative branches. The director shall study emerging technology and evaluate its impact on the state's system, advise state agencies regarding information technology, and report and make

recommendations to the legislative council and the legislative assembly regarding information technology of state government. Each state agency, institution, or department shall furnish any records and information to the director of the information technology management division that the director may request in the performance of the director's duties."

Page 2, line 3, replace "services" with "technology management"

Page 2, line 6, replace "services" with "technology management" and replace the fourth underscored comma with an underscored semicolon

Page 2, line 7, remove "except", replace the underscored comma with "; and agencies of the judicial and legislative branches", and replace "comply with" with "prepare that entity's information technology strategic plan based on"

Page 2, line 8, replace "services" with "technology management" and after the underscored period insert "Each agency's information technology coordinator, appointed pursuant to section 54-44.2-04, and the director of the information services division shall assist the division in developing formats and guidelines for strategic plans, developing statewide policies, standards, and guidelines for information technology, and other related areas as requested by the division."

Page 2, line 10, replace ", except the institutions" with "; each institution" and replace the second underscored comma with "; and each agency of the judicial and legislative branches"

Page 2, line 11, remove ", subject to approval by the information"

Page 2, line 12, remove the first "services division", replace the second "services" with "technology management", and replace "by January" with "as requested by the division"

Page 2, line 13, remove "fifteenth of each even-numbered year"

Page 2, line 14, replace "services" with "technology management" and replace "and" with an underscored semicolon

Page 2, line 15, after "years" insert "; and must include a detailed list of information technology assets owned, leased, or employed by the agency, institution, or department"

Page 2, line 17, replace "services" with "technology management"

Page 2, line 19, remove "and may require an agency, institution, or"

Page 2, remove line 20

Page 2, line 21, remove "resolve conflicting directions among plans" and after the underscored period insert "Each agency, institution, or department shall prepare its budget request for the next biennium based on its information technology strategic plan."

Page 2, line 22, replace "services" with "technology management"

Page 2, line 24, after the underscored period insert "The statewide plan must include a list of approved agency projects in priority order as determined by the director of the information technology management division."

Page 2, remove lines 25 through 30

Page 3, remove lines 1 and 2

Page 3, line 3, replace "audit and" with "council"

Page 3, line 4, remove "fiscal review committee" and replace "services" with "technology management"

Page 3, line 5, replace the third underscored comma with an underscored semicolon

Page 3, line 6, remove "except the" and replace the underscored comma with "; and agencies of the judicial and legislative branches"

Page 3, line 7, replace "services" with "technology management"



Page 3, line 13, replace "services" with "technology management"

Page 3, line 14, replace "audit and fiscal review" with "council or its designated" and replace "services" with "technology management"

Page 3, line 15, replace "audit and fiscal review" with "council or its designated"

Page 3, after line 16, insert:

**"Information technology systems and projects - Auditing and monitoring.**

The information technology management division shall perform information systems reviews and audits of information technology systems or applications of executive branch state agencies, institutions, and departments; institutions under the control of the board of higher education; and agencies of the judicial and legislative branches as determined necessary by the director of the information technology management division. An information systems audit should include an evaluation of compliance with system or application requirements, data integrity, security, controls, audit trails, backup and recovery methods, and the effectiveness and appropriateness of the system in achieving its intended purpose, as applicable. The information technology management division may examine all books, papers, records, and documents in an agency, institution, or department, and may require any officer of the agency to furnish information or statements necessary to carry out provisions included in section 1 of this Act. The information technology management division shall monitor the implementation of information technology systems development projects and application development projects for conformance with the agency's strategic plan and compliance with statewide policies and standards as determined necessary by the director of the information technology management division. The information technology management division may report any nonconformance or noncompliance discovered during the auditing, reviewing, or monitoring process to the legislative council or its designated committee.

**SECTION 2.** A new section to chapter 54-44.2 of the North Dakota Century Code is created and enacted as follows:

**Information technology coordination - Report to legislative council.** The director of the information services division and the commissioner of the board of higher education shall meet at least twice each year to plan and coordinate their information technology systems and services. The director and commissioner shall consider areas in which joint or coordinated information technology systems and services may result in more efficient and effective state government operations. The director and commissioner shall report their findings and recommendations annually to the legislative council or its designated committee.

Page 5, line 23, after the underscored comma insert "and consistent with the information technology policies, standards, and guidelines of the information technology management division of the legislative council"

Page 7, line 4, after "services" insert ". The information services division shall report annually to the legislative council or its designated committee regarding the coordination of services with political subdivisions"

Page 7, line 25, remove "developing formats and guidelines for strategic plans, developing statewide policies,"

Page 7, line 26, remove "standards, and guidelines for information technology" and overstrike ", and other"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1046: Judiciary Committee (Rep. Kretschmar, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1046 was placed on the Sixth order on the calendar.

Page 1, line 4, replace "subsections 10 and" with "subsection"

Page 1, line 10, replace "a method that is" with "an initial phase with a secondary process"

Page 1, line 12, replace "and which" with ". The initial phase is an assessment tool that is administered by a trained probation and parole officer. A predetermined score on the initial phase initiates the secondary process that"

Page 1, line 15, replace "Subsections 10 and" with "Subsection"

Page 1, line 16, replace "are" with "is"

Page 1, remove lines 17 through 24

Page 2, remove lines 1 and 2

Page 2, line 21, remove "and the"

Page 2, line 22, remove "supreme court" and replace "that" with "before July 1, 1998, which"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1111: Transportation Committee (Rep. Skarphol, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1111 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create and enact a new section to chapter 27-20 of the North Dakota Century Code, relating to parental attendance at alcohol treatment for a child; and to"

Page 1, after line 6, insert:

**"SECTION 1.** A new section to chapter 27-20 of the North Dakota Century Code is created and enacted as follows:

**Alcohol treatment - Parental attendance.** If the court requires alcohol treatment or education for a child who committed a delinquent act that constitutes a violation of section 39-08-01, or an equivalent ordinance, the court may require the custodial parent or legal guardian to accompany the child during the treatment or education if recommended by the alcohol treatment or education provider."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1142: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1142 was placed on the Sixth order on the calendar.

Page 1, line 13, replace "Two" with "The governor shall appoint from a list of three nominees submitted to the governor by the North Dakota education association two" and remove "elected by and among the active participating members"

Page 1, line 14, remove "of the fund"

Page 1, line 15, replace "elected" with "appointed"

Page 1, line 17, replace "One" with "The governor shall appoint from a list of three nominees submitted to the governor by the North Dakota council of school administrators one" and remove "elected by and among the active participating members of"

Page 1, line 18, remove "the fund", replace "are" with "is", after "as" insert "a", and replace "administrators" with "administrator"

Page 1, line 19, replace "elected" with "appointed"

Page 1, line 21, replace "Two" with "The governor shall appoint from a list of three nominees submitted to the governor by the North Dakota retired teachers association two" and replace "elected by and among" with "who are"

Page 1, line 24, replace "elected" with "appointed"

Page 2, line 1, replace "elected" with "appointed"

Page 2, line 2, replace the first "elected" with "appointed" and replace the second "elected" with "appointed"

Page 2, line 3, replace "elected" with "appointed"

Page 2, line 4, replace "Elected" with "Newly appointed" and replace "elected" with "newly appointed"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1159: Judiciary Committee (Rep. Kretschmar, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1159 was placed on the Sixth order on the calendar.

Page 2, line 19, overstrike "other" and insert immediately thereafter "statewide or legislative district"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1162: Judiciary Committee (Rep. Kretschmar, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1162 was placed on the Sixth order on the calendar.

Page 1, line 20, after "beneficiary" insert "or to a parent, legal guardian, or conservator of a dependent victim"

Page 4, line 24, remove "In the case of child"

Page 4, remove line 25

Page 4, line 26, remove "beyond one year from the date the child reaches the age of majority."

Page 5, line 7, after the period insert "In the case of child abuse or sexual molestation of a child, the criminally injurious conduct must be reported to a law enforcement officer within three years after the child reaches the age of majority."

Page 6, line 7, replace "five" with "ten"

Page 6, line 9, replace "clear and convincing" with "a preponderance of the"

Page 7, line 31, remove the second "The"

Page 8, remove lines 1 through 9

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1176: Agriculture Committee (Rep. Nicholas, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1176 was placed on the Sixth order on the calendar.

Page 1, line 18, remove "or should have known"

Page 1, line 23, remove "or should have"

Page 1, line 24, remove "known that" and after "false" insert "or acted with reckless disregard of whether the statement was false"

Page 2, remove line 1

Page 2, line 6, replace "has a claim for relief" with "is liable to the agricultural producer"

Page 2, line 16, after the first "class" insert "and any association representing an agricultural producer" and remove "producer's"

Page 2, line 17, after "action" insert "by a producer or an association representing an agricultural producer"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1249: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1249 was placed on the Sixth order on the calendar.

Page 1, line 6, replace "coverage" with "any claim for loss" and replace "other" with "or separate structure. Any claim for loss of an appurtenant or separate structure must be settled for actual replacement cost or actual cash value, depending on the policy provisions applicable to the structure, unless an appurtenant or separate structure is individually described in the policy and a value is assigned to that specific structure before the loss."

Page 1, remove lines 7 through 9

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1258: Judiciary Committee (Rep. Kretschmar, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1258 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "parenting" with "custodial"

Page 1, line 6, replace "**parenting**" with "**custodial**"

Page 1, line 11, remove "parenting education" and after "course" insert "that addresses the effects of divorce on children"

Page 1, line 13, remove "parenting education" and replace "that" with "provided either through a child visitation and custody exchange center, a community-based domestic violence agency, a regional human service center, or a parenting education program provided in conjunction with a community-based domestic violence program. The program must include"

Page 1, line 14, remove "includes"

Page 1, line 15, remove "parenting education"

Page 1, line 16, after "parties" insert "or the lack of an available course within a reasonable distance of the parties"

Page 1, line 20, replace "**Parenting**" with "**Custodial**"

Page 1, line 22, replace "parenting" with "custodial"

Page 1, line 24, remove "parenting education"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1267: Transportation Committee (Rep. Skarphol, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1267 was placed on the Sixth order on the calendar.

Page 1, line 11, after "language" insert "that is the applicant's own language or"

Page 1, line 12, remove ", or through audio recordings"

Page 1, line 13, remove "provided by the department"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1281: Transportation Committee (Rep. Skarphol, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1281 was placed on the Sixth order on the calendar.

Page 1, line 19, replace "The" with "With the consent of the persons, their heirs, successors, or assigns in whom the title or rights to the land were vested at the time of the purchase or acquisition, the"

Page 1, line 20, replace "has no value" with "that the cost of the sale exceeds the estimated value of the property"

Page 1, line 22, replace the first "the" with "those" and remove "in whom it was vested at the time of the"

Page 1, line 23, remove "purchase or acquisition"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1282: Agriculture Committee (Rep. Nicholas, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1282 was placed on the Sixth order on the calendar.

Page 1, line 2, after "prize" insert "; to provide an effective date; and to declare an emergency"

Page 2, after line 9, insert:

**"SECTION 2. EFFECTIVE DATE.** This Act becomes effective on April 1, 1997.

**SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1306: Judiciary Committee (Rep. Kretschmar, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1306 was placed on the Sixth order on the calendar.

Page 1, line 13, after "19-03.1-23" insert ", except for the manufacture, delivery, or possession with intent to manufacture or deliver marijuana in an amount less than 11.02 pounds [5 kilograms]"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1314: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1314 was placed on the Sixth order on the calendar.

Page 1, line 1, after "designate" insert "the training facility located at" and replace "South as Camp Murry" with "(South) as the Major General C. Emerson Murry regional live fire and maneuver training center"

Page 1, line 18, replace "**CAMP MURRY** " with "**TRAINING FACILITY**" and replace "property acquired by the national" with "training facility located at Camp Grafton (South)"

Page 1 remove line 19

Page 1, line 20, after "the" insert "overall" and replace the second "Camp" with "the"

Page 1, line 21, replace ", to be commonly referred to as Camp Murry" with "regional live fire and maneuver training center"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1346: Transportation Committee (Rep. Skarphol, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1346 was placed on the Sixth order on the calendar.

Page 1, line 17, after the period insert "This amount must be placed in the restricted funds account and only the interest may be used for salaries or maintenance."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1352: Human Services Committee (Rep. Price, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1352 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 50-11.1 of the North Dakota Century Code, relating to the duties of an advisory committee to the department of human services concerning early childhood services.

#### BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

**SECTION 1.** A new section to chapter 50-11.1 of the North Dakota Century Code is created and enacted as follows:

**Duty of advisory committee to review rules.** Any advisory committee established by the department, to provide advice and guidance to the department concerning early childhood services, must include members who are providers of early childhood services. The committee must meet at least three times each year and review and comment upon rules proposed by the department to implement this chapter. The department shall consider those comments in the manner required under chapter 28-32."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1355: Judiciary Committee (Rep. Kretschmar, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (8 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). HB 1355 was placed on the Sixth order on the calendar.

Page 1, line 5, replace "An individual" with "A person" and remove ", assist, counsel, suggest, recommend, refer, or participate"

Page 1, line 6, replace "in any manner in any" with "a", replace "service" with "procedure", and replace "individual's" with "person's"

Page 1, line 7, after the period insert "This section does not relieve an individual health care provider or a health care institution from any obligations under any law requiring the provision of emergency medical care."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1357: Judiciary Committee (Rep. Kretschmar, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1357 was placed on the Sixth order on the calendar.

Page 1, line 1, after the semicolon insert "to amend and reenact subdivision c of subsection 1 of section 12.1-32-15 of the North Dakota Century Code, relating to sexual offenders;"

Page 1, line 3, underscore "**Surreptitious intrusion.**"

Page 1, line 4, underscore "1. An individual is guilty of a class A misdemeanor if that individual" and insert immediately thereafter "does any of the following" and underscore the colon

Page 1, underscore lines 5 through 23

Page 2, underscore lines 1 through 3

Page 2, line 4, underscore "previous conviction for violating subsection 1 or", replace "is" with "if the person violates subsection 1 after being", and underscore "required to register under"

Page 2, underscore lines 5 and 6

Page 2, line 7, underscore "corrections", replace "investigators," with "officers", and underscore "or to those acting under their direction, while engaged in"

Page 2, underscore lines 8 through 11

Page 2, after line 11, insert:

**"SECTION 2. AMENDMENT.** Subdivision c of subsection 1 of section 12.1-32-15 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

- c. "Sexual offender" means a person who has pled guilty to or been found guilty of a violation of section 12.1-20-03, 12.1-20-04, 12.1-20-05, 12.1-20-06, 12.1-20-07, 12.1-20-11, chapter 12.1-27.2, subsection 2 of section 1 of this Act, or an attempt to commit these offenses."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1381: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1381 was placed on the Sixth order on the calendar.

Page 1, replace line 9, with "Beginning at the Northeast corner of Lot 1, Block 13 of said University Place Addition; thence north along the west line of Princeton Street, a distance of 100 feet to a point; thence deflecting left at an angle of 89 degrees 59'08" in a westerly direction, a distance of 292.98 feet to a point; thence deflecting left at an angle of 143 degrees 24'30" in a southeasterly direction, a distance of 152.39 feet to a point; thence deflecting right at an angle of 53 degrees 05' in a southerly direction, a distance of 9.16 feet to a point on the north line of said Lot 1, Block 13; thence deflecting left at an angle of 89 degrees 40'30" in a easterly direction, a distance of 170.60 feet to the point of beginning."

Page 1, remove lines 10 through 12

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1411: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1411 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "a" with "two" and replace "section" with "sections"

Page 1, after line 15, insert:

**"SECTION 2.** A new section to chapter 15-10 of the North Dakota Century Code is created and enacted as follows:

**Tuition waivers - Costs.** Any costs that are incurred by an institution of higher education as a result of providing tuition waivers in accordance with section 1 of this Act must be accommodated within the current level of existing appropriations."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1420: Political Subdivisions Committee (Rep. Poolman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1420 was placed on the Sixth order on the calendar.

Page 1, line 1, after "11-17-04" insert "and section 14-03-22"

Page 1, line 3, after "court" insert "and for performing marriage ceremonies"

Page 2, after line 5, insert:

**"SECTION 2. AMENDMENT.** Section 14-03-22 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

**14-03-22. Marriage license fee - Supplemental fee - Fee for marriage ceremony - Duties of officers.** For the issuance and filing of a marriage license, the clerk of district court shall collect the sum of six dollars from the party applying for the license. The clerk shall also collect from the applicant a supplemental fee of twenty-nine dollars for aid to victims of domestic violence through the domestic violence prevention fund in accordance with chapter 14-07.1. ~~The clerk shall deposit the~~ For performing a marriage ceremony during regular courthouse hours, the clerk shall collect a fee of thirty dollars which is to be retained by the county. If the marriage ceremony is performed by the clerk at a time other than during regular courthouse hours, the clerk may collect and retain a fee in an amount to be determined by the clerk. Except as provided in this section, all collected ~~sums~~ fees must be deposited monthly with the county treasurer. The county treasurer shall forward the amount represented by supplemental fees to the state treasurer by the fifteenth of each month for crediting to the domestic violence prevention fund. The clerk shall prepare a copy of the license and certificate and transmit them to the registrar of vital statistics who shall record them in a book of records kept in the registrar's office for that purpose. The registrar shall index the records and upon request shall issue certified copies of the recorded license and certificate for a one dollar fee. The registrar shall keep an accurate account of these fees and shall turn them over to the state treasurer by the fifteenth of each month for crediting to the general fund."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1421: Political Subdivisions Committee (Rep. Poolman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1421 was placed on the Sixth order on the calendar.

Page 1, line 2, after "contracts" insert "; and to declare an emergency"

Page 1, line 8, replace "fifty" with "one hundred"

Page 1, after line 19, insert:

**"SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1427: Agriculture Committee (Rep. Nicholas, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1427 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "establishment of an agricultural consultation board and"

Page 1, replace lines 6 through 23 with:



**"SECTION 1. Agricultural products utilization commission -  
Apportionment of research funds.**

1. The agricultural products utilization commission annually shall apportion the proceeds of the North Dakota agricultural research fund as follows:
  - a. Seventy percent to the grant committees of the North Dakota agricultural commodity groups that raise research moneys through perpetual fundraising mechanisms, provided that:
    - (1) The commodity represented accounts for at least two percent of the gross sales of all agricultural commodities grown or produced in the state;
    - (2) The percentage of the dollars available for each agricultural commodity group under this section may not exceed the percentage that the gross sales of the agricultural commodity bear to the North Dakota gross sales of all agricultural commodities grown or produced during the previous year, as determined by the agricultural statistics service; and
    - (3) The grant committee of an agricultural commodity group obtains and commits funds equal to twenty-five percent of the total amount awarded or distributed to the research project.
  - b. Eighteen percent to the grant committee representing animal agriculture.
  - c. Twelve percent to the grant committee representing new and emerging crops.
2. Any moneys not expended by a grant committee during the first year of a biennium may be reallocated by the agricultural products utilization commission to the same or to a different grant committee during the second year of the biennium.

**SECTION 2. Agricultural commodity groups - Grant committees.**

1. The governing body of each agricultural commodity group shall establish a committee to accept moneys apportioned by the agricultural products utilization commission under section 1, solicit proposals for research projects related to enhancing the impact of an agricultural commodity on the economy of this state, and distribute or award the moneys as research grants. Each committee must consist of:
  - a. Four individuals who are growers or producers and who are members of the agricultural commodity group, appointed by the commodity group's governing body;
  - b. The director of the North Dakota agricultural experiment station or the director's designee;
  - c. An individual who has a background in agricultural research and experience in the contemplated field of study, appointed by the director of the North Dakota agricultural experiment station; and
  - d. An individual who is employed in the private sector and who has a background in agricultural research, appointed by the agricultural commodity group's governing body.
2. The governing body of the agricultural commodity group shall determine the terms of office for its grant committee members and may provide for the compensation of the grant committee members and expense reimbursement at the same rate and in the same manner as provided for members of the commodity group's governing body.
3. A grant committee shall select one of the committee members to serve as chairman for the period determined by the commodity group's governing body.

**SECTION 3. Animal agriculture - Establishment of grant committee.**

1. A grant committee representing animal agriculture is established for the purpose of accepting moneys apportioned by the agricultural products utilization commission under section 1, soliciting proposals for research projects related to the study of traditional and nontraditional livestock and forage production, and distributing or awarding the moneys as research grants. The committee must consist of:
  - a. One producer appointed by the North Dakota beef commission;
  - b. One producer appointed by the North Dakota stockmen's association;
  - c. One producer appointed by the North Dakota milk producers association;
  - d. One producer appointed by the North Dakota pork producers association;
  - e. One producer appointed by the North Dakota lamb and wool producers association;
  - f. One producer appointed by the North Dakota bison producers association;
  - g. The director of the North Dakota agricultural experiment station or the director's designee;
  - h. An individual who has a background in agricultural research and experience in the contemplated field of study, appointed by the director of the North Dakota agricultural experiment station; and
  - i. An individual who is employed in the private sector and who has a background in agricultural research, appointed collectively by the governing bodies of the commodity groups identified in subdivisions a through f.
2. The appointing authorities collectively shall determine the terms of office for the grant committee members and may provide for the compensation of the grant committee members and expense reimbursement at the same rate and in the same manner as provided for members of the governing bodies of the represented commodity groups.
3. The grant committee shall select one of the committee members to serve as chairman for the period determined by the committee.

**SECTION 4. New or emerging crops - Establishment of grant committee.**

1. A grant committee representing new or emerging crops is established for the purpose of accepting moneys apportioned by the agricultural products utilization commission under section 1, soliciting proposals for research projects related to the study of new or emerging crops, and distributing or awarding the moneys as research grants. The committee must consist of:
  - a. Four individuals who are growers or producers of a new or emerging crop or who have a familiarity with new or emerging crops, appointed by the agricultural products utilization commission;
  - b. The director of the North Dakota agricultural experiment station or the director's designee;
  - c. An individual who has a background in agricultural research and experience in the contemplated field of study, appointed by the director of the North Dakota agricultural experiment station; and
  - d. An individual who is employed in the private sector and who has a background in agricultural research, appointed by the agricultural products utilization commission.

2. The agricultural products utilization commission shall determine the terms of office for the grant committee members and, using a portion of the moneys available for award or distribution to the grant committee, may provide for the compensation of the grant committee members and expense reimbursement at the same rate and in the same manner as provided for members of the agricultural products utilization commission.
3. The grant committee shall select one of the committee members to serve as chairman for the period determined by the agricultural products utilization commission.

**SECTION 5. Distribution of research grants.** Each grant committee shall distribute or award the moneys available for research grants on a competitive basis to persons affiliated with institutions of higher education or research organizations in this state or in other states for the purpose of conducting research with a view to enhancing the impact of an agricultural commodity on the economy of this state. An out-of-state grant recipient must provide matching funds in an amount equal to the research grant and must designate a person affiliated with an institution of higher education in this state or with a research organization in this state to serve as a coordinator and collaborator."

Page 2, remove lines 1 through 31

Page 3, remove lines 1 through 15

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1433: Agriculture Committee (Rep. Nicholas, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1433 was placed on the Sixth order on the calendar.

Page 1, line 18, replace "\$300,000" with "\$250,000"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1434: Agriculture Committee (Rep. Nicholas, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1434 was placed on the Sixth order on the calendar.

Page 1, line 20, replace "Sellers" with "Labelers"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1436: Agriculture Committee (Rep. Nicholas, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1436 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "three" with "two"

Page 1, line 4, replace "Three" with "Two"

Page 1, line 10, after the period insert "However, the commissioner shall permit North Dakota growers to plant uncertified potatoes grown by them, if the growers are within twelve months of having their own certified parent seed potatoes."

Page 1, remove lines 15 and 16

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1437: Agriculture Committee (Rep. Nicholas, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1437 was placed on the Sixth order on the calendar.

Page 1, line 13, replace "equal" with "similar"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1442: Political Subdivisions Committee (Rep. Poolman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1442 was placed on the Sixth order on the calendar.

Page 1, line 7, overstrike "fifty" and insert immediately thereafter "one hundred"

Page 1, line 8, remove the overstrike over "~~three~~" and remove "two"

Page 1, line 9, remove the overstrike over "~~twenty-one~~" and remove "fourteen"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1469: Judiciary Committee (Rep. Kretschmar, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1469 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "to repeal sections 12.1-16-04, 12.1-16-05, and"

Page 1, remove line 4

Page 1, line 5, remove "suicide;"

Page 1, remove lines 18 and 19

Page 1, line 23, replace "Sections" with "Section", remove "and 2", and replace "are" with "is"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1472: Agriculture Committee (Rep. Nicholas, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 4 NAYS, 3 ABSENT AND NOT VOTING). HB 1472 was placed on the Sixth order on the calendar.

Page 1, line 16, replace the first "and" with "or"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1001: Appropriations Committee (Rep. Dalrymple, Chairman)** recommends **DO PASS** (20 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1001 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1061: Appropriations Committee (Rep. Dalrymple, Chairman)** recommends **DO NOT PASS** (19 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). HB 1061 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1115: Appropriations Committee (Rep. Dalrymple, Chairman)** recommends **DO PASS** (19 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1115 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1183: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1183 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1185: Appropriations Committee (Rep. Dalrymple, Chairman)** recommends **DO PASS** (17 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). HB 1185 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1199: Appropriations Committee (Rep. Dalrymple, Chairman)** recommends **DO PASS** (18 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). HB 1199 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1233: Political Subdivisions Committee (Rep. Poolman, Chairman)** recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1233 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1301: Agriculture Committee (Rep. Nicholas, Chairman)** recommends **DO PASS** (6 YEAS, 3 NAYS, 4 ABSENT AND NOT VOTING). HB 1301 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1339: Appropriations Committee (Rep. Dalrymple, Chairman)** recommends **DO PASS** (19 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1339 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1362: Agriculture Committee (Rep. Nicholas, Chairman)** recommends **DO PASS** (8 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING). HB 1362 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1426: Agriculture Committee (Rep. Nicholas, Chairman)** recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1426 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1441: Political Subdivisions Committee (Rep. Poolman, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1441 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1451: Political Subdivisions Committee (Rep. Poolman, Chairman)** recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1451 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3018: Transportation Committee (Rep. Skarphol, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3018 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3019: Political Subdivisions Committee (Rep. Poolman, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3019 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3020: Transportation Committee (Rep. Skarphol, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HCR 3020 was placed on the Tenth order on the calendar.

**FIRST READING OF HOUSE CONCURRENT RESOLUTIONS**

Reps. Callahan, Sveen, Price, Warner and Sen. DeMers introduced:

**HCR 3033:** A concurrent resolution directing the Legislative Council to study the effects of managed health care on the future viability of the health care delivery system in rural North Dakota.

Was read the first time and referred to the **Human Services Committee**.

Reps. Sandvig, Weisz, Callahan and Sens. Krauter, Nalewaja, Thane introduced:

**HCR 3034:** A concurrent resolution directing the Legislative Council to study the impact of divorce on children and issues of equity and fairness as they relate to custody determinations, visitation orders, and child support obligations.

Was read the first time and referred to the **Human Services Committee**.

Reps. Grande, Christenson introduced:

**HCR 3035:** A concurrent resolution directing the Legislative Council to study the criteria and the manner in which the criteria is applied by the Education Standards and Practices Board in certifying teachers, in approving teacher preparation programs, and in developing a professional code of ethics, conduct, and performance.

Was read the first time and referred to the **Education Committee**.

Reps. Drovdal, Carlson and Sens. Mathern, W. Stenehjerm, Redlin introduced:

**HCR 3036:** A concurrent resolution commending Leland Stenehjerm, Jr., upon his election as President of the Independent Bankers Association of America.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

#### **FIRST READING OF SENATE BILLS**

**SB 2017:** A BILL for an Act to provide an appropriation for defraying the expenses of job service North Dakota.

Was read the first time and referred to the **Appropriations Committee**.

**SB 2131:** A BILL for an Act to amend and reenact sections 19-14-02, 19-14-04, 19-18-04, and 19-20.1-03.1 of the North Dakota Century Code, relating to livestock medicine registrations and registration fees, pesticide registrations, and fertilizer distributors' licenses; and to provide a penalty.

Was read the first time and referred to the **Agriculture Committee**.

**SB 2171:** A BILL for an Act to amend and reenact sections 41-03-03, 41-03-04, 41-03-53, 41-03-54, 41-04-19, and 41-04-20 of the North Dakota Century Code, relating to the liability for paying an unauthorized demand draft.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2279:** A BILL for an Act to amend and reenact section 35-20-16 and subsection 3 of section 41-09-46 of the North Dakota Century Code, relating to entering liens for unpaid earned property or casualty insurance premiums in the central notice system.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2298:** A BILL for an Act to provide for creation of the Devils Lake basin water board; and to amend and reenact section 54-10-14 of the North Dakota Century Code, relating to political subdivision audits; and to declare an emergency.

Was read the first time and referred to the **Natural Resources Committee**.

**SB 2334:** A BILL for an Act to create and enact a new section to chapter 65-02 of the North Dakota Century Code, relating to the destruction of workers' compensation claim files.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

The House stood adjourned pursuant to Representative Freier's motion.

**ROY GILBREATH, Chief Clerk**